

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

D-1 MICHAEL KODZO AGODOA,

Defendant.

Case:2:13-cr-20525
Judge: Duggan, Patrick J.
MJ: Grand, David R.
Filed: 07-16-2013 At 11:31 AM
INFO USA V. AGODOA (TAM)

INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT ONE
(18 U.S.C. § 1832(a)(3) – THEFT OF TRADE SECRETS)

From in or about January of 2010 until April 2012, in the Eastern District of Michigan, Southern Division, and elsewhere, defendant MICHAEL KODZO AGODOA, did knowingly and intentionally possess information that included a trade secret knowing it to have been stolen, appropriated, obtained and converted without authorization, with the intent to convert the information to the economic benefit of a person other than the owner, and intending that the offense would injure the owner of the trade secret, that is:

1. From 1977 until 1997, Defendant was employed as a chemist with Wacker

Chemical Corporation (“Wacker”), at their North American headquarters in Adrian, Michigan, and its predecessor company, the Stauffer Chemical Company.

2. During his employment with Wacker, Defendant had access to numerous chemical formulas for the manufacture of silicone-based and rubber products. Defendant was aware that Wacker’s chemical formulas were secret and that he was not authorized to disclose those formulas outside of the course of his employment with Wacker.
3. When Defendant left Wacker, he took without authorization over 100 confidential Wacker chemical formulas used in the production and manufacture of silicone-based and rubber products that are sold in interstate and foreign commerce.
4. Beginning in the late 2009 and early 2010, Defendant, who was then employed with a different chemical company, began negotiating for employment with a South Korean-based chemical company, KCC Silicones (“KCC”), a subsidiary of KCC Corporation.
5. During his negotiations with KCC, Defendant transmitted and disclosed copies of Wacker chemical formulas to representatives of KCC. While still employed with the other chemical company, in or about March of 2010, Defendant accepted a paid position as a “consultant” for KCC.

6. From January of 2010 until at least April 2012, Defendant used stolen Wacker chemical formulas that were in his possession to assist KCC in its development of silicone-based products.
7. Defendant possessed these formulas to benefit himself and to the detriment of Wacker, knowing that the formulas did not belong to him and that Wacker had taken reasonable measures to keep them secret.

All in violation of Title 18, United States Code, Section 1832(a)(3).

BARBARA L. McQUADE
UNITED STATES ATTORNEY

s/Ross I. MacKenzie
ROSS I. MACKENZIE
Assistant United States Attorney

s/Graham L. Teall
GRAHAM L. TEALL
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United States District Court
Eastern District of Michigan**Criminal Case Cover**

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Reassignment/Recusal Information This matter was opened in the USAO prior to August 15, 2008 []

| Companion Case Information | | Companion Case Number: |
|--|-----------------------------|-------------------------------|
| This may be a companion case based upon LCrR 57.10 (b)(4) ¹ : | | Judge Assigned: |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | AUSA's Initials: <i>JL</i> |

Case Title: USA v. Michael Kodzo Agodoa**County where offense occurred :** Lenawee**Check One:** **Felony** **Misdemeanor** **Petty** Indictment/ Information --- no prior complaint. Indictment/ Information --- based upon prior complaint [Case number:] Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].**Superseding Case Information****Superseding to Case No:****Judge:** _____ Original case was terminated; no additional charges or defendants. Corrects errors; no additional charges or defendants. Involves, for plea purposes, different charges or adds counts. Embraces same subject matter but adds the additional defendants or charges below:**Defendant name** **Charges** **Prior Complaint (if applicable)**

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

July 16, 2013

Date

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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.